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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,) CASE NO. CR04-498-TSZ
09 Plaintiff,)
10 v.) SUMMARY REPORT OF U.S.
11 JACOB SANTOS MARTINEZ,) MAGISTRATE JUDGE AS TO
12 Defendant.) ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
13

14 An evidentiary hearing on supervised release revocation in this case was scheduled before
15 me on July 6, 2006. The United States was represented by AUSA William H. Redkey, Jr. and the
16 defendant by Timothy S. McGarry. The proceedings were digitally recorded.

17 Defendant had been sentenced on or about April 15, 2005 by the Honorable Thomas S.
18 Zilly on a charge of Unlawful Disposition of a Firearm, and sentenced to 6 days custody with
19 credit for time served, 2 years supervised release. (Dkt. 25).

20 The conditions of supervised release included the standard conditions plus the requirements
21 that defendant submit to drug testing, not possess a firearm, abstain from the use of alcohol,
22 submit to search, provide access to financial information, and participate in a home confinement

01 program with electronic monitoring for 180 days.

02 In an application dated May 15, 2006 (Dkt 27), U.S. Probation Officer Burt Maroney
03 alleged the following violation of the conditions of probation:

04 1. Committing the crime of Assault (Domestic Violence) on May 10, 2006, in
05 violation of the general condition that he not commit a federal, state or local offense.

06 Defendant was advised in full as to the charge and as to his constitutional rights. An
07 evidentiary hearing was held in which the parties stipulated to submission of the matter on the
08 Kent Police Department reports of the May 10, 2006 incident. No further evidence was submitted.
09 The evidence establishes the violation by a preponderance of the evidence.

10 I therefore recommend the Court find defendant violated his supervised release as alleged,
11 and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be
12 set before Judge Zilly.

13 Pending a final determination by the Court, defendant has been released on the conditions
14 of supervision.

15 DATED this 6th day of July, 2006.

16 
17 Mary Alice Theiler
18 United States Magistrate Judge
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20 cc: District Judge: Honorable Thomas S. Zilly
AUSA: William H. Redkey, Jr.
21 Defendant's attorney: Timothy S. McGarry
Probation officer: Burt Maroney
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TO ALLEGED VIOLATIONS OF SUPERVISED RELEASE
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